

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

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February 24, 2016

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REPLY TO Spokane

The Honorable Rosanna Malouf Peterson
U.S. District Judge
Eastern District of Washington
920 West Riverside
Spokane, WA 99201

RE: GUNNING, Shauna J.
DOCKET NO: 2:13CR00177-RMP-2
Request to Modify Conditions
of Pretrial Supervision

Dear Judge Peterson:

On December 22, 2015, Ms. Gunning appeared before the Honorable John T. Rodgers, U.S. Magistrate Judge, in Spokane, Washington, for an initial appearance regarding the violation petitions submitted on December 10 and 18, 2015. Ms. Gunning admitted to all violations contained in those reports. In lieu of incarceration, the Court modified Ms. Gunning's conditions of release to include home detention with electronic monitoring and ordered her to enter into inpatient substance abuse treatment as soon as a bed became available.

On January 8, 2016, the undersigned officer submitted a violation report advising the Court that Ms. Gunning provided a urine sample that detected the presence of cocaine and marijuana. Ms. Gunning admitted to ingesting cocaine, but claimed the positive result for marijuana was residual from previous use. In addition, the aforementioned violation report advised that Ms. Gunning tested presumptively positive again for the presence of marijuana on December 29, 2015. She again denied ingesting marijuana and claimed the positive result was residual from previous use. Subsequently, the undersigned officer recommended the Court take no action as Ms. Gunning had been placed on electronic home monitoring on December 22, 2015, and was waiting for placement in an inpatient substance abuse treatment facility.

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On February 8, 2016, the undersigned officer submitted a violation report advising the Court that Ms. Gunning had again ingested cocaine and consumed alcohol. Subsequently, the Court issued a summons for Ms. Gunning to appear on February 24, 2016, before the Honorable John T. Rodgers, U.S. Magistrate Judge, in Spokane, Washington. However, on February 23, 2016, the aforementioned initial appearance was reset for March 21, 2016.

Ms. Gunning is scheduled to appear before Your Honor for sentencing in the instant federal matter on March 23, 2016.

The purpose of this letter is to update the Court of Ms. Gunning's status and request a modification of her conditions of pretrial release supervision.

As noted above, on December 22, 2016, Ms. Gunning appeared before the Honorable John T. Rodgers, U.S. Magistrate Judge, to answer to alleged violations of her pretrial release supervision. As a result of that hearing, the Court ordered Ms. Gunning to be placed on home detention with electronic monitoring pending placement into an inpatient substance abuse treatment facility.

On February 19, 2016, Ms. Gunning entered into inpatient substance abuse treatment at Spokane Addiction Recovery Center (SPARC) in Spokane, Washington. Her estimated completion date at SPARC is March 20, 2016.

Due to her placement into inpatient substance abuse treatment, the undersigned officer respectfully recommends Ms. Gunning's electronic monitoring and home detention conditions be removed.

Should the Court have any further questions, please contact the undersigned officer.

Respectfully submitted,

Matthew L. Thompson
Chief U.S. Probation Officer

s/Erik Carlson 02/24/2016
Erik Carlson Date
U.S. Probation Officer

Approved By:

s/Tommy Rosser 02/24/2016
Tommy Rosser Date
Supervisory U.S. Probation Officer

EC:ab

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

2/24/2016

Date